

) **MDL No. 1456**
) **Master File No. 01-12257-PBS**
) **Subcategory Case No. 06-11337**

) **Judge Patti B. Saris**

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6. The Warrick Defendants consent to this motion, as does the relator Ven-A-Care.

WHEREFORE, the parties jointly request that the Court enter an Order dismissing Schering-Plough Corporation and Warrick Pharmaceutical Corporation with prejudice. A proposed Order of dismissal is attached.

Dated: December 11, 2009

Respectfully submitted,

EDMUND G. BROWN JR.
Attorney General for the State of California

By: /s/ Nicholas N. Paul
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**Attorneys for Plaintiff,
STATE OF CALIFORNIA**

CERTIFICATE OF SERVICE

I, Nicholas N. Paul, hereby certify that on December 11, 2009, I caused a true and correct copy of the foregoing, to be served on all counsel of record via electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending a copy to LexisNexis File & Serve for posting and notification to all parties.

/s/ Nicholas N. Paul.
NICHOLAS N. PAUL
Supervising Deputy Attorney General